

EXHIBIT 1

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3
4 IN THE UNITED STATES DISTRICT COURT
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FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 DAVID CERVANTES, JAMES PEREZ,
11 GEORGE FRANCO, TRINIDAD
MARTINEZ, and GUILLERMO SOLORIO

12 Defendants.

Case No.: CR 21-328 YGR

**ORDER MODIFYING PRETRIAL
SCHEDULE**

Court: Courtroom 1, 4th Floor

1 After this Court continued the trial date to June 3, 2024, the parties met and conferred and
2 propose the below pretrial schedule:¹

Event	Deadline/Date
Gov't Discovery Cutoff Deadline (Discovery produced thereafter shall be excluded absent good cause)	January 2, 2024 Proposed deadline five months before trial is one month longer than previously set.
Motion to Suppress Wiretap	Mot. re TT13, 17, 19, 21-23: October 18, 2023 (Dkt. 962) Mot. re TT16: November 6, 2023 (Dkt. 1000) Omnibus Opp'n: November 15, 2023 Omnibus Reply: December 7, 2023 Hearing: December 14, 2023, 9 a.m.
<i>Hearing on Motion to Suppress Wiretap</i>	December 14, 2023, 9 a.m.
Status Conference	January 11, 2024, 9 a.m. Proposed date supplants date for original First Pretrial Conference at Dkt. 910 at 4.
Motion to Suppress Non-Wiretap Evidence, Motion to Dismiss, Motion Alleging Defects in Indictment	Mot.: January 11, 2024 Opp'n: February 8, 2024 Reply: February 22, 2024 Hearing: March 7, 2024, 9 a.m.
AEO De-Designation, Jencks Act Disclosures	April 1, 2024 Proposed date maintains Court's prior order of disclosure 60 days before trial.
<i>Hearing on Motion to Suppress</i>	March 7, 2024, 9 a.m.

1 At the status conference, defendant Guillermo Solorio once again objected to moving the trial date back and the exclusion of time under the Speedy Trial Act. 18 U.S.C. § 3161. The Court overruled that objection and, at the request of his co-defendants and the government, moved the trial back to June 3, 2024, and excluded time under the Speedy Trial Act until that date. The Court overruled that objection for the same reasons it has previously: The Court is warranted in maintaining a joint trial in this complex RICO case for co-defendants where the government has represented that overlapping evidence would be significant and the exclusion is warranted by the ends of justice. *Id.* § 3161(h)(6). (Dkt. No. 662.)

Event	Deadline/Date
<i>Non-Wiretap Evidence, Motion to Dismiss, Motion Alleging Defects in Indictment</i>	
Proposed Additions to the Standard Survey Monkey Questionnaire	March 1, 2024
<i>Status Conference</i>	March 7, 2024, 9 a.m. Proposed date supplants date for original Third Pretrial Conference at Dkt. 910 at 3.
Motions in Limine, <i>Daubert Motions</i>	Mot.: March 14, 2024 Opp'n: April 4, 2024 Reply: April 18, 2024 Hearing: May 2, 2024, 9 a.m.
Joint Pretrial Conference Statement, Proposed Jury Verdict Form, Proposed Jury Instructions, Proposed Jury Questionnaires	April 22, 2024
<i>Second Pretrial Conference</i>	May 2, 2024, 9 a.m.
<i>Third Pretrial Conference</i>	May 23, 2024, 9 a.m.
<i>Jury Trial</i>	June 3, 2024, 8 a.m.

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1 IT IS SO STIPULATED.

2 DATED: November 13, 2023

Respectfully submitted,

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4 THOMAS A. COLTHURST
Chief, Criminal Division

5 Leif Dautch
6 MARJA-LIISA OVERBECK
LEIF DAUTCH
7 Assistant United States Attorney

8
9 DATED: November 13, 2023

10
11 Lisa Ma
JOHN PAUL REICHMUTH
LISA MA
Counsel for Defendant
Cervantes

12
13 DATED: November 13, 2023

14
15 Shawn Halbert
SHAWN HALBERT
ERIK BABCOCK
Counsel for Defendant Perez

16
17 DATED: November 13, 2023

18
19 Marsanne Weese
MARSANNE WEESE
Counsel for Defendant
Franco

20
21 DATED: November 13, 2023

22
23 Joseph Abrams
JOSEPH ABRAMS
Counsel for Defendant
Martinez

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25 IT IS SO ORDERED.

26
27 November 27, 2023
Dated

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YVONNE GONZALEZ ROGERS
United States District Judge